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February 15, 2011

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Mr. James Wasilak
Chief of Planning
City of Rockville
111 Maryland Avenue, Room 217
Rockville, Maryland 20850

Re: Rockville Metro Plaza Minor Site Plan Amendment to Amended Use Permit
USE97-0577A.

Dear Mr. Wasilak:

On behalf of the F.P. Rockville II Limited Partnership ("Applicant"), the owner of the property located at the northwest corner of the Rockville Pike and East Middle Lane intersections ("Property"), we are filing a Minor Site Plan Amendment Application ("Application") pursuant to Section 25.05.07.b. of the Zoning Ordinance. The Application proposes the minor amendments ("Minor Amendments") discussed below to the approved Phase II office building ("Phase II Building"). The Minor Amendments propose no change in use, height or density, are minor in nature and are necessary for a structure that meets the specific needs of the Applicant's tenant.

The Property is zoned PD-MC and is regulated in accordance with Preliminary Development Plan PDP2004-00008 for the Property approved by the Mayor and Council by Resolution No. 5-05 on March 7, 2005 ("Approved PDP"). A copy of the Approved PDP Resolution is attached at Exhibit "A". The Approved PDP implements Use Permit, USE97-0577, approved with conditions by the Planning Commission on January 5, 1999 as amended by Use Permit USE97-0577A, approved with conditions by the Planning Commission on April 15, 2005 and confirmed by letter dated May 23, 2005 (collectively, "Amended Use Permit"). Copies of the Use Permit approval letters are attached hereto at Exhibits "B" and "C", respectively.

The Application proposes the following Minor Amendments to the Amended Use Permit:

- Small engineering adjustments to the sidewalks and south façade of the building and adjustments to accommodate a reduction in parking spaces while maintaining the vehicular/pedestrian connection to the Rockville Town Square in the northwest quadrant

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of the site. These minor changes are illustrated in the attached plan identifying the proposed modifications.

- Temporary reallocation of a maximum of 12,000 gross square feet of space from the Phase III Building to the Phase II Building based on the tenant's need to use the P6 level, which is approved for parking for model hotel rooms for a limited period of time. The reallocated FAR will revert back to the Phase III Building, and the space used for model rooms will become parking, when this space is no longer needed for model hotel rooms. The Applicant is, therefore, not increasing the total FAR of the Amended Use Permit.
- Reduction in the number of approved parking spaces by approximately 17%, or from 1625 spaces to 1347, resulting in an overall parking ratio of approximately 2.1/1000 square feet. Such reduction is consistent with current market trends to reduce parking counts in urban, mixed use, transit-oriented developments similar to the Property. Given the proximity to existing public parking facilities, METRO rail, bus and Marc service, the proposed reduction in the number of parking spaces is appropriate and facilitates the public purpose of sustainable, transit-oriented development.

Approval of the Application is justified pursuant to Zoning Ordinance Section 25.05.07.b because the Minor Amendments do not significantly deviate from the terms and conditions of the Amended Use Permit and would effectively carry out the intent of the Planning Commission's prior approvals. Furthermore, the Minor Amendments have only a minimal and non-adverse effect on the overall design, layout, quality and intent of the Amended Use Permit and are solely intended to reflect tenant requirements. In this regard, the modifications represent the minor adjustments as referenced above. We note that all public facilities, including transportation and water and sewer, have been determined to be adequate, and no changes that would affect that determination are proposed. Additionally, the Project is grandfathered from the City's Green Building Regulations pursuant to Chapter 5, Article XIV, Section 5-303(b)(2). Accordingly, approval of this Application modifies the Amended Use Permit in only limited ways as necessary to meet the needs of the tenant and reduces the number of parking spaces to better reflect the anticipated demand and the transit service available to the Project.

List of Enclosures and Attachments

Please find the enclosed Application and the required and supporting plans and exhibits for a Minor Site Plan Amendment:

- (1) Checks for the required filing and sign posting fees;
- (2) 1 copy of the completed Minor Site Plan Amendment Application;

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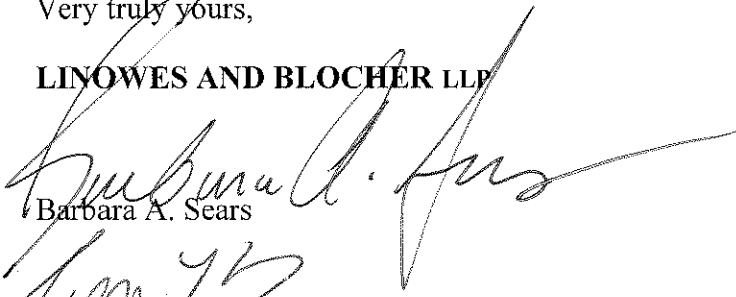
- (3) 1 copy of the Cover Letter;
- (4) 15 copies of the detailed Site Plan Amendment Plan prepared and sealed by the Project engineer;
- (5) 3 copies of the Preliminary Building Elevations and Floor Plans;
- (6) 6 copies of the Landscape Plan;
- (7) 15 copies of the plan identifying the Minor Amendments;
- (8) 1 copy of the Stormwater Management Plan;
- (9) 1 copy of the revised NRI/FSD and approval application; and
- (10) 1 CD containing electronic versions of above plans.

The Phase II Building will be constructed in one phase. In addition, the City is pursuing the necessary authority to recognize the previously-granted forest conservation exemption.


Thank you for your attention to this matter. Should you have any questions or need any additional information, please feel free to contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



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Enclosures

cc: Mr. Bobby Ray
Mr. Clayton Foulger
Mr. Adam Davis
Mr. Karl Alt
Mr. Matt Joyce